IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 1481 of 2007(B)

PETITIONER:

A.C.JOSEPH,
ARIMATTOM VAYALIL, VILANGADU POST,
KALLACHI VAZHI, KOZHIKODE DISTRICT.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS:
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1. THE TALUK LAND BOARD,
VADAKARA.

2. THE CHAIRMAN,
-DO- -DO-

BY GOVERNMENT PLEADER SRI. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 1481/2007 B

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER DT. 1/1/87 IN CRP NO. 1321/82 BEFORE THIS COURT.

EXT.P2. COPY OF THE ORDER DT. 29/09/89 IN TLB NO. 70/79 TALUK LAND BOARD, BADAGARA.

EXT.P3. COPY OF THE GIFT DEED DT. 2/3/90.

EXT.P4. COPY OF THE PARTITION DEED DT. 19/11/2005.

EXT.P5. COPY OF THE ORDER DT. 2/1/96 IN SLP C NO. 13286/89 BEFORE THE HONOURABLE SUPREME COURT OF INDIA.

EXT.P6. COPY OF THE NOTICE DT. 26/10/2006 ISSUED BY THE R2 TO THE PETITIONER.

EXT.P7. COPY OF THE STATEMENT DT. 14/11/2006 FILED BY THE PETITIONER BEFORE THE TALUK LAND BOARD.

EXT.P8. COPY OF THE STATEMENT DT. 22/1/82 FILED BY THE PETITIONER'S FATHER BEFORE THE R1.

True copy

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S.SIRI JAGAN, J

W.P.(C)NO.1481 of 2007

Dated this the 10th day of April, 2007

JUDGMENT

The petitioner challenged Ext.P6 notice directing the petitioner to appear before the Taluk Land Board and to produce claims or objections, if any, for getting exemption from surplus land. Since Ext.P6 is only a notice to which the petitioner can file objections or claims as directed therein, I am of the opinion that this writ petition is premature, and accordingly, without prejudice to the right of the petitioner to file claims or objections to Ext.P6 notice, this writ petition is dismissed. However,I make it clear that if the petitioner files objection within three weeks from today, the Taluk Land Board shall consider the same and pass appropriate orders, as warranted by law.

S.SIRI JAGAN, JUDGE

CSS